

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

TIMOTHY J. GORBEY, Administrator
of the Estate of Marissa Rose Fishman,
Deceased,

Plaintiff,

v.

RICHARD LONGWILL, et al.,

Defendants.

Civil Action No. 05-211-MPT

ORDER FOR ENTRY OF JUDGMENT

This action came before the Court for a trial by jury. The issues have been tried and the jury rendered its verdict on May 2, 2008. A copy of the verdict sheet is attached.

Based on the jury's verdict,

IT IS HEREBY ORDERED and ADJUDGED as follows:

1. The Clerk shall enter judgment pursuant to Federal Rule of Civil Procedure 58 in favor of all the defendants and against the plaintiff on the plaintiff's claims.


UNITED STATES MAGISTRATE JUDGE

May 14, 2008
Wilmington, Delaware

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

TIMOTHY J. GORBEY, Administrator, d.b.n., of	:	
the Estate of Marissa Rose Fishman, Deceased,	:	
Plaintiff	:	Civil Action No.: 05-211 (MPT)
vs.	:	
	:	
RICHARD LONGWILL, BARBARA	:	
LONGWILL, ASHLAND CONSTRUCTION	:	
COMPANY, INC. AND VINCENT RIZZO	:	
Defendants.	:	

VERDICT SHEET

(Answer the following questions in the order they appear)

1. Do you find that defendant Richard Longwill was negligent?

Yes: _____ No: X

If you answered "Yes" to Question No. 1, proceed to Question No. 2. If you answered "No" to Question No. 1, you should proceed to Question No. 3.

2. Was defendant Richard Longwill's negligence a proximate cause of the death of Marissa Fishman?

Yes: _____ No: _____

Proceed to Question No. 3.

3. Do you find that defendant Barbara Longwill was negligent?

Yes: _____ No: X

If you answered "Yes" to Question No. 3, proceed to Question No. 4. If you answered "No" to Question No. 3, you should proceed to Question No. 5.

4. Was defendant Barbara Longwill's negligence a proximate cause of the death of Marissa Fishman?

Yes: _____ No: _____

Proceed to Question No. 5.

5. Do you find that Ashland defendants were negligent?

Yes: _____ No: X

If you answered "Yes" to Question No. 5, proceed to Question No 6. If you answered "No" to Question No. 5, you should proceed to Question No. 7.

6. Was the Ashland defendants' negligence a proximate cause of the death of Marissa Fishman?

Yes: _____ No: _____

7. Using 100% as the total negligence that combined to cause the death of Marissa Fishman, apportion liability between the defendants. (The percentages must add up to 100%).

Richard Longwill: _____ %
(Answer only if you answered "Yes" to Questions No.1 and No.2)

Barbara Longwill: _____ %
(Answer only if you answered "Yes" to Questions No. 3 and No.4)

Ashland defendants: _____ %
100
(Answer only if you answered "Yes" to Questions No. 5 and No.6)

8. What amount of damages do you award to plaintiff for Marissa Fishman's conscious pain and suffering (Survival Act Claim)?

\$ 0

9. What amount of damages do you award the plaintiff for the Wrongful Death Act claims?

\$ 0

THE ABOVE IS THE JURY'S UNANIMOUS VERDICT

DATED: 5/2/08

FOREPERSON